IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 10758 of 1999

Between:
Narayanappa, S/o.Shanivaraya, R/o.Kempalinganahalli, Nallamangala Taluq, Bangalore District, Karnataka State.

..... PETITIONER

AND

1. The Regional Transport Officer, Hindupur, Ananthapur Dist.
2. The Motor Vehicles Inspector, Kadiri.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, particularly one in the nature of writ of Mandamus, declaring the action of the second respondent in seizing the Mahendra Mini Bus bearing registration No.KA-02/A-1715 belonging to the petitioner under his vehicle check report No.720022 dated 27-5-1999 as illegal, arbitrary and unwarranted.

For the Petitioner:MR.B.LINGAYYA CHOUDARY, Advocate, not present.

For the Respondent No.: Government Pleader for Transport.

The Court made the following Order:

The vehicle of the petitioner bearing registration No.KA-02/A-1715 was seized by the second respondent, as per the check report No.720022, dated 27-05-1999 for non-production of the permit, fitness certificate, R.C., etcetera. Questioning the said seizure, the present writ petition is filed.

While admitting the writ petition, this Court passed an interim order dated 07-06-1999, directing to release the vehicle on furnishing Rs.5,000/-, pending completion of the statutory proceedings. Further, the petitioner was directed not to alienate or create any encumbrance on the seized vehicle till completion of the enquiry.

None appeared for the petitioner. Heard the learned Government Pleader for Transport.

Having heard the learned Government Pleader for Transport and having perused the entire material available on record, it is evident that the petitioner has not participated in the enquiry initiated against him.

In view of the above, the writ petition is disposed of directing the petitioner to approach the authorities concerned, who in turn, after conducting enquiry initiated for violation of the conditions, if any, mentioned in the check report dated 27-05-1999, shall pass necessary orders in the matter. No costs.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

TO
1.The Regional Transport Officer, Hindupur, Ananthapur Dist.
2.The Motor Vehicles Inspector, Kadiri, Ananthapur Dist.
3.Two C.Cs. to Government Pleader for Transport, High Court Buildings, Hyderabad (OUT).
4. Two C.D. Copies.